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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,634	01/10/2002	Shigenobu Nakamura	111650	6573

25944            7590            04/22/2003

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[REDACTED] EXAMINER

VAN PELT, BRADLEY J

ART UNIT	PAPER NUMBER
3682	

DATE MAILED: 04/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/041,634	NAKAMURA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Bradley J Van Pelt	3682

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on \_\_\_\_\_.

2a) This action is FINAL.                  2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-6 is/are pending in the application.

4a) Of the above claim(s) 3-5 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1,2 and 6 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 10 January 2002 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
 a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of Group E, illustrated in Fig. 6 in Paper No. 6 is acknowledged. The traversal is on the ground(s) that the search is coextensive and not burdensome. This is not found persuasive because the search is not coextensive and, therefore, is a serious burden.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 3-5 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 6.

### ***Specification***

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the disclosure is objected to because it exceeds 150 words. Correction is required. See MPEP § 608.01(b)

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monahan et al. (USPN 5,827,143) in view of Meyer (USPN 2,471,969), and Geist (USPN 1,662,511).

Monahan et al. disclose an engine auxiliary unit driving equipment for transmitting an engine driving force from a crank pulley (16) fixed to an engine crankshaft to a plurality of engine auxiliary units, one of which is an alternator (18) for a vehicle, comprising: a driven poly-V belt (12), which is provided at least in the alternator, having a plurality of grooves extending in a circumferential direction; and a poly-V belt, which has a plurality of projections extending parallel in a longitudinal direction so as to correspond to the grooves of the driven poly-V pulley, bridging between the crank pulley and the driven poly-V pulley so that the engine driving force is transmitted, via the poly-V belt, the driven poly-V pulley;

another of the engine auxiliary units other than the alternator is provided with another driven poly-V pulley (22) on which the poly-V belt is wound in parallel on the another driven poly-V pulley to position perpendicularly to the axial direction thereof so that the engine driving

force is transmitted from the crank pulley, via poly-V belt, not only to the alternator but also to the another of the engine auxiliary units.

Monahan et al. do not disclose the poly-V belt is composed of a plurality of pieces substantially divided so that each piece of the divided poly-V belts has plural pieces of the projections extending in a longitudinal direction;

respective weights per unit length of the divided poly-V belts are different.

Meyer shows a poly-V belt, used in a transmission, composed of a plurality of pieces (15) substantially divided so that each piece of the divided poly-V belts has plural pieces of the projections extending in a longitudinal direction.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the poly-V of Monahan et al. with a plurality of pieces for the purpose of ensuring a longer belt life, therefore, decreasing maintenance costs, as taught by Meyer. Moreover Geist teaches that such an arrangement ensures a longer belt life (see lines 53-65).

It would have been well within the level of skill of one of ordinary skill in the art to alter the respective weights per unit length of the poly-V belt, since such a modification would have involved a mere change in size of a component. A change in size is generally recognized as being within the level of ordinary skill in the art.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Geist (USPN 1,662,511), Geare (USPN 2,082,540), Carter et al. (USPN 2,442,037), Van Deventer (USPN 2,841,020), Cavanaugh (USPN 2,860,519), Zahn (USPN 3,404,577), and Stork (USPN 3,948,113).

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley J Van Pelt whose telephone number is (703)305-8176. The examiner can normally be reached on M-Th 7:00-4:30, 2nd F 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Bucci can be reached on (703)308-3668. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-9391 for regular communications and (703)305-3597 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-2168.

BJVP *SAP*  
April 17, 2003

  
DAVID A. BUCCI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600